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IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION

- - - - - x
In re: : Chapter 11
: :
CIRCUIT CITY STORES, INC., : Case No. 08-35653
et al., : :
: :
Debtors. : :
: Jointly Administered
- - - - - x

**AMENDED NOTICE OF AGENDA OF MATTERS SCHEDULED FOR HEARING ON
DECEMBER 22, 2008 AT 10:00 A.M. (EASTERN)¹**

¹ At the hearing held on December 5, 2008, Judge Huennekens directed that all lease related matters would be heard on December 22, 2008 at 1:00 p.m. (Eastern). Thus, the Debtors filed a separate agenda listing all lease related matters for such time, regardless of the time listed in the notice filed for the matter.

Set forth below are the matters previously scheduled to be heard before the Honorable Kevin Huennekens, United States Bankruptcy Judge, in the United States Bankruptcy Court for the Eastern District of Virginia, U.S. Courthouse, 701 East Broad Street, Room 5000, Richmond, VA 23219-1888, on December 22, 2008 beginning at 10:00 a.m. Eastern.

I. RESOLVED MATTERS

1. Motion of Debtors for Order Under Bankruptcy Code Sections 105(A), 363, and 366, and Bankruptcy Rule 6003 (I) Approving Debtors' Adequate Assurance of Payment, (II) Establishing Procedures for Resolving Requests by Utility Companies for Additional Assurance Of Payment, (III) Scheduling a Hearing with Respect to Contested Adequate Assurance of Payment Requests, and (IV) Authorizing Debtors to Pay Claims of a Third Party Vendor (Docket No. 8).

Related Documents:

- a. Order under Bankruptcy Code Sections 105(A),363, And 366, and Bankruptcy Rule 6003 (I) Approving Debtors' Adequate Assurance of Payment, (II) Establishing Procedures for Resolving Requests by Utility Companies for Additional Assurance of Payment, (III) Scheduling a Hearing with Respect to Contested Adequate Assurance of Payment Requests, and (IV) Authorizing Debtors to Pay Claims of a Third Party Vendor (Docket No. 117)
- b. Corrected Order under Bankruptcy Code Sections 105(A),363, And 366, and Bankruptcy Rule 6003 (I) Approving Debtors' Adequate Assurance of Payment, (II) Establishing Procedures for Resolving Requests by Utility Companies for Additional Assurance of Payment, (III) Scheduling a Hearing with Respect to Contested Adequate Assurance of Payment Requests, and (IV) Authorizing Debtors to Pay Claims of a Third Party Vendor (Docket No. 832)
- c. Notice of Filing of Amended Exhibit A to Order under Bankruptcy Code Sections 105(A),363, And 366, and Bankruptcy Rule 6003 (I) Approving Debtors' Adequate Assurance of Payment, (II) Establishing

Procedures for Resolving Requests by Utility Companies for Additional Assurance of Payment, (III) Scheduling a Hearing with Respect to Contested Adequate Assurance of Payment Requests, and (IV) Authorizing Debtors to Pay Claims of a Third Party Vendor (Docket No. 848)

Objection

Deadline: December 3, 2008 at 4:00 p.m.

Objections/

Responses

Filed:

- a. Motion by Accent Energy California LLC for Additional Adequate Protection Pursuant to Bankruptcy Code Section 366 in Lieu of Blocked Account (Docket No. 435)

Status: No hearing is necessary. The parties have resolved this matter and Accent Energy California LLC has informed the Debtors that it intends to formally withdraw its motion prior to the hearing.

- b. AT&T's Informal Request for Adequate Assurance

General

Status: No hearing is necessary. The parties have resolved this matter.

II. CONTINUED/ADJOURNED MATTERS

- 2. Motion for Order Under 11 U.S.C. Sections 105, 362 and 541 and Fed. R. Bankr. P. 3001 and 3002 Establishing Notice, Hearing, and Sell-Down Procedures for Trading in Equity Securities and Claims Against the Debtors' Estates (Docket No. 20).

Related

Documents:

- a. Interim Order Under 11 U.S.C. 105, 362 And 541 And Fed. R. Bankr. P. 3001 And 3002 Establishing Notice, Hearing, And Sell-Down Procedures For Trading In Equity Securities And Claims Against The Debtors Estates And Setting Hearing (Docket No. 135)

Objection

Deadline: November 22, 2008 at 4:00 p.m.

Objections/

Responses

Filed:

- a. Informal response from the Securities Exchange Commission
- b. Informal response from the Official Committee of Unsecured Creditors

Status:

The Debtors have resolved the SEC's response with modifications to the final order. The Debtors are working to resolve the Committee's response. This matter has been adjourned until the January 16, 2009 hearing at 10:00 a.m.

3. Motion for Relief from Automatic Stay of 11 U.S.C. Section 362(a) with Supporting Memorandum of Law and Request for Shortened Notice and Expedited Hearing, by Reverend Dwayne Funches (Docket No. 487)

Related

Documents:

- a. Amended Motion to Expedite Hearing (Docket No. 566)
- b. Agreed Order (Docket No. 639)

Objection

Deadline: December 1, 2008 at 4:00 p.m.

Objections/

Responses

Filed:

- a. Debtors' Response and Objection to Motion for Relief from Automatic Stay of 11 U.S.C. Section 362(a) with Supporting Memorandum of Law and Request for Shortened Notice and Expedited Hearing (Docket No. 558)

Status: The parties have agreed to continue this matter until the hearing scheduled for January 29, 2009 at 10:00 a.m.

4. Debtors' Application for Order Under Bankruptcy Code Sections 105(a), 327(a), 328 and 1107 and Bankruptcy Rule 2014(a), Authorizing the Employment and Retention of DJM Realty Services, LLC as Real Estate Consultant and Advisor to the Debtors Effective as of November 19, 2008 (Docket No. 963)

Related Documents:

- a. Notice of Motion and Hearing (Docket No. 964)

Objection Deadline: December 18, 2008 at 4:00 p.m., extended for the Official Committee of Unsecured Creditors until December 20, 2008 at 4:00 p.m.

Objections/
Responses
Filed:

- a. Informal Response from Unsecured Creditors' Committee.

Status: This matter is being adjourned.

III. UNCONTESTED MATTERS GOING FORWARD

5. Omnibus Motion for Order Shortening Notice Period of Motions to Assume, Assign and Sell Certain Leases and Motion to Approve Stipulation with Chase Bank USA, N.A. (Docket No. 993)

Related Documents:

- a. Notice of Motion and Hearing (Docket No. 994)

Objection Deadline: December 18, 2008 at 4:00 p.m.

Objections/
Responses

Filed: None at the time of filing this agenda.

Status: This matter is going forward.

6. Debtors' Motion for Order Approving Stipulation by and Among the Debtors and Chase Bank USA, National Association Pursuant to Bankruptcy Code Section 105 and Bankruptcy Rule 9019 (Docket No. 953)

Related

Documents:

a. Notice of Motion and Hearing (Docket No. 954)

Objection

Deadline: December 18, 2008 at 4:00 p.m., extended for the Official Committee of Unsecured Creditors until December 19, 2008 at 12:00 p.m.

Objections/

Responses

Filed: None at the time of filing this agenda.

Status: If the Court grants the Motion to Shorten (Matter No. 3), this matter is going forward.

7. Application to Expand the Scope of Employment and Retention of Ernst & Young LLP to Include Additional Tax Advisory Services, Effective as of November 10, 2008 (Docket No. 952)

Related

Documents:

a. Notice of Motion and Hearing (Docket No. 955)

Objection

Deadline: December 18, 2008 at 4:00 p.m.

Objections/

Responses

Filed: None at the time of filing this agenda.

Status: This matter is going forward.

8. Debtors' Application for Order Under Bankruptcy Code

Sections 105(a), 327(a), 328 and 1107 and Bankruptcy Rule 2014(a), Authorizing the Employment and Retention of KPMG LLP as Independent Auditors and Tax Consultants to the Debtors Effective as of the Petition Date (Docket No. 956)

Related Documents:

- a. Notice of Motion and Hearing (Docket No. 957)

Objection

Deadline: December 18, 2008 at 4:00 p.m.

Objections/

Responses

Filed: None at the time of filing this agenda.

Status: This matter is going forward.

8.

9. Motion Of The Debtors For Order Pursuant To Bankruptcy Code Sections 105(a), 327, 330 And 331 Authorizing Debtors To Employ Professionals Utilized In The Ordinary Course Of Business (Docket No. 972)

Related Documents:

- a. Notice of Motion and Hearing (Docket No. 974)

Objection

Deadline: December 18, 2008 at 4:00 p.m.

Objections/

Responses

Filed: None at the time of filing this agenda.

Status: This matter is going forward.

10. Debtors' First Omnibus Motion for Order Pursuant to Bankruptcy Code Sections 105(a) and 365(a) and Bankruptcy Rule 6006 Authorizing Rejection of Certain Unexpired Leases of Personal Property (Docket No. 992)

Related Documents:

a. Notice of Motion and Hearing (Docket No. 996)

Objection

Deadline: December 18, 2008 at 4:00 p.m.

Objections/

Responses

Filed: None at the time of filing this agenda.

Status: This matter is going forward.

IV. CONTESTED MATTERS

11. Motion To File Certain Documents Under Seal (Docket No. 1166).

Status: This matter is going forward.

12. Debtors' Motion for Interim and Final Orders Pursuant to 11 U.S.C. §§ 105, 361, 362, 363 and 364 and Federal Rules of Bankruptcy Procedure 2002 and 4001 (I) Authorizing Debtors (A) to Obtain PostPetition Financing and (B) to Utilize Cash Collateral; (II) Granting Adequate Protection; and (III) Scheduling Interim and Final Hearings (Docket No. 23)

Related

Documents:

a. Notice of Bankruptcy Filing and Debtors' Presentation of Motions and Applications to the Court for Consideration (Docket No. 26); Motion to Authorize Filing Certain Documents Under Seal (Docket No. 27)

b. Interim Order Pursuant to 11 U.S.C. §§ 105, 361, 362, 363 and 364 and Rules 2002, 4001 and 9014 of the Federal Rules of Bankruptcy Procedure (I) Authorizing Incurrence by the Debtors of PostPetition Secured Indebtedness with Priority Over all Secured Indebtedness and with Administrative Superpriority, (2) Granting Liens, (3) Authorizing Use of Cash Collateral by the Debtors Pursuant to 11 U.S.C. Section 363 and Providing for Adequate Protection, (4) Modifying the Automatic Stay and (5) Scheduling a Final Hearing (Docket No. 78)

- c. Notice of Filing of Motion and Entry of Interim Order Pursuant to 11 U.S.C. Sections 105, 361, 362, 363 and 364 and Rules 2002, 4001 and 9014 of the Federal Rules of Bankruptcy Procedure: (i) Authorizing Incurrence by the Debtors of Postpetition Secured Indebtedness with Priority Over All Secured Indebtedness and With Administrative Superpriority, (ii) Granting Liens, (iii) Authorizing Use of Cash Collateral by the Debtors Pursuant to 11 U.S.C. Section 363 and Providing For Adequate Protection, (iv) Modifying the Automatic Stay and (v) Scheduling a Final Hearing (Docket No. 100)
- d. Notice of Filing of Executed DIP Credit Agreements (Docket No. 425)
- e. Corrected Interim Order Pursuant to 11 U.S.C. §§ 105, 361, 362, 363 and 364 and Rules 2002, 4001 and 9014 of the Federal Rules of Bankruptcy Procedure (I) Authorizing Incurrence by the Debtors of PostPetition Secured Indebtedness with Priority Over all Secured Indebtedness and with Administrative Superpriority, (2) Granting Liens, (3) Authorizing Use of Cash Collateral by the Debtors Pursuant to 11 U.S.C. Section 363 and Providing for Adequate Protection, (4) Modifying the Automatic Stay and (5) Scheduling a Final Hearing (Docket No. 823)
- f. Notice of Filing of Second Amendment to Senior Secured, Super-Priority, Debtor-in-Possession Credit Agreement (Docket 1165).
- g. Notice of Filing Proposed Final Order Pursuant to 11 U.S.C. Sections 105, 361, 362, 363 and 364 and Rules 2002, 4001 and 9014 of the Federal Rules of Bankruptcy Procedure (1) Authorizing Incurrence by the Debtors of Post-petition Secured Indebtedness with Priority Over All Secured Indebtedness and with Administrative Superpriority, (2) Granting Liens, (3) Authorizing Use of Cash Collateral by the Debtors Pursuant to 11 U.S.C. Section 363 and Providing for Adequate Protection and (4) Modifying the Automatic Stay (Docket No. 1153)

Objection

Deadline: November 28, 2008 at 4:00 p.m.

Objections/
Responses
Filed:

- a. Limited Objection of Inland Southwest Management LLC, Inland American Retail Management LLC, Inland US Management LLC, Inland Pacific Property Services LLC, Inland Commercial Property Management, Inc. and Inland Continental Property Management Corp. to Debtors' Motion for Interim and Final Orders Pursuant to 11 U.S.C. §§ 105, 361, 362, 363 and 364 and Federal Rules of Bankruptcy Procedure 2002 and 4001 (I) Authorizing Debtors (A) to Obtain PostPetition Financing and (B) to Utilize Cash Collateral; (II) Granting Adequate Protection; and (III) Scheduling Interim and Final Hearings (Docket No. 261)

Status: The parties have resolved this objection.

- b. Limited Objection to Debtors' Motion for Interim and Final Orders Pursuant to 11 U.S.C. §§ 105, 361, 362, 363 and 364 and Federal Rules of Bankruptcy Procedure 2002 and 4001 (I) Authorizing Debtors (A) to Obtain PostPetition Financing and (B) to Utilize Cash Collateral; (II) Granting Adequate Protection; and (III) Scheduling Interim and Final Hearings (Kimco Realty Corp.) (Docket No. 274)

Status: The parties have resolved this objection.

- c. Joinder of F.R.O., L.L.C. IX to Inland's Limited Objection to Debtors' Motion for Interim and Final Orders Pursuant to 11 U.S.C. §§ 105, 361, 362, 363 and 364 and Federal Rules of Bankruptcy Procedure 2002 and 4001 (I) Authorizing Debtors (A) to Obtain PostPetition Financing and (B) to Utilize Cash Collateral; (II) Granting Adequate Protection; and (III) Scheduling Interim and Final Hearings (Docket No. 281)

Status: The parties have resolved this objection.

- d. Joinder of 502-12 86th Street LLC to Limited Objection to Debtors' Motion for Interim and Final Orders Pursuant to 11 U.S.C. §§ 105, 361, 362, 363

and 364 and Federal Rules of Bankruptcy Procedure 2002 and 4001 (I) Authorizing Debtors (A) to Obtain PostPetition Financing and (B) to Utilize Cash Collateral; (II) Granting Adequate Protection; and (III) Scheduling Interim and Final Hearings (Docket No. 316)

Status: The parties have resolved this objection

- e. Objection of Texas Ad Valorem Tax Jurisdictions To Interim Order And To Entry Of Final Order (1) Authorizing Incurrence By Debtors Of Post-Petition Secured Indebtedness With Priority Over All Secured Indebtedness..."(2) Granting Liens (3) Granting Use Of Cash Collateral..." (Docket No. 338)

Status: The parties are working to resolve this objection. In the event they are unable to reach a resolution, this matter is going forward.

- f. Joinder of 502-12 86th Street LLC to Limited Objection to Debtors' Motion for Interim and Final Orders Pursuant to 11 U.S.C. Sections 105, 361, 362, 363 and 364 and Federal Rules of Bankruptcy Procedures 2002 and 4001(I) Authorizing Debtors (A) To Obtain Postpetition Financing and (B) to Utilize Cash Collateral; (II) Granting Adequate Protection; and (III) Scheduling Interim and Final Hearings (Docket No. 364)

Status: The parties have resolved this objection.

- g. Limited Objection to Debtors' Motion For Interim And Final Orders Pursuant To 11 U.S.C. Sections 105, 361, 362, 363 And 364 And Federal Rules Of Bankruptcy Procedure 2002 And 4001 (I) Authorizing Debtors (A) To Obtain Postpetition Financing And (B) To Utilize Cash Collateral; (II) Granting Adequate Protection; And (III) Scheduling Interim And Final Hearings (Docket No. 418)

Status: The parties are working to resolve this objection. In the event they are unable to reach a resolution, this matter is going forward.

- h. Limited Objection by Carousel Center Company, LP, Sangertown Square, LLC , EklecCo NewCo, LLC and Fingerlakes Crossing, LLC to Entry of Final Order Pursuant to 11 U.S.C. Sections 105, 361, 362, 363, and 364 and Rules 2002, 4001 and 9014 of the Federal Rules of Bankruptcy Procedure (1) Authorizing Incurrence by the Debtors of Post-Petition Secured Indebtedness with Priority Over all Secured Indebtedness and with Administrative Superpriority, (2) Granting Liens, (3) Authorizing Use of Cash Collateral by the Debtors Pursuant to 11 U.S.C. Section 363 and Providing For Adequate Protection, (4) Modifying the Automatic Stay and (5) Scheduling a Final Hearing (Objecting Landlords (Docket No. 423)

Status: The parties have resolved this objection.

- i. Objection by Arlington ISD, et al. to Motion and Entry of Final Order Pursuant to 11 U.S.C. Sections 105, 361, 362, 363, and 364 and Rules 2002, 4001 and 9014 of the Federal Rules of Bankruptcy Procedure (i) Authorizing Incurrence by the Debtors of Postpetition Secured Indebtedness with Priority over all Secured Indebtedness and with Administrative Superpriority, (ii) Granting Liens, (iii) Authorizing Use of Cash Collateral by the Debtors Pursuant to 11 U.S.C. Section 363 and Providing for Adequate Protection, (iv) Modifying the Automatic Stay (Docket No. 424)

Status: The parties are working to resolve this objection. In the event they are unable to reach a resolution, this matter is going forward.

- j. Limited Objection of Navarre Distribution Services, Inc. to Debtors' Motion for Interim and Final Orders Pursuant to 11 U.S.C. Sections 105, 361, 362, 363 and 364 and Federal Rules of Bankruptcy Procedure 2002 and 4001 (I) Authorizing Debtors (A) to Obtain Postpetition Financing and (B) to Utilize Cash Collateral; (II) Granting Adequate Protection; and (III) Scheduling Interim and Final Hearings (Docket No. 430)

Related

Document:

i. Debtors' Objection to Navarre Distribution Services, Inc.'s Motion for Adequate Protection and Response to Limited Objection Navarre to Debtors' Dip Motion (Docket No. 1126).

Status: This matter is going forward.

k. Limited Objection of Laguna Gateway Phase 2, LP, Manteca Stadium Park, L.P., and OTR-Clairemont Square to DIP Financing Motion (Docket No. 438)

Status: The parties are working to resolve this objection. In the event they are unable to reach a resolution, this matter is going forward.

l. Response To Motion Of Debtors For Order Under Sections 105(A), 362, 503(B), 507(A), 546(C) And 546(H) (I) Granting Administrative Expense Status To Obligations From Postpetition Delivery Of Goods; (II) Authorizing Payment Of Expenses In The Ordinary Course Of Business; (III) Authorizing Debtors To Return Goods; And (IV) Establishing Procedures For Reclamation Demands (Dkt. No. 14), Interim Order With Respect Thereto (Dkt. No. 133), And Related Motions/Orders (E.G. Dkt Nos. 19, 23, 78 And 107) (Docket No. 447)

Status: The parties have resolved this objection.

m. Limited Objection of Centro Properties Group, Federal Realty Investment Trust, Cencor Realty, The Hutensky Group, UBS Realty Investors, LLC The Morris Companies Affiliates and Uniwest Commercial Realty to Debtors' Motion for Interim and Final Orders Pursuant to 11 U.S.C. Sections 105, 361, 362, 363 and 364 and Federal Rules of Bankruptcy Procedure 2002 and 4001 (I) Authorizing Debtors (A) to Obtain Postpetition Financing and (B) to Utilize Cash Collateral; (II) Granting Adequate Protection; and (III) Scheduling Interim and Final Hearings (Docket No. 452)

Status: The parties are working to resolve this objection. In the event they are unable to reach a resolution, this matter is going forward.

- n. Limited Objection of Polaris Circuit City, LLC to Debtors' Motion for Interim and Final Orders Pursuant to 11 U.S.C. Sections 105, 361, 362, 363 and 364 and Federal Rules of Bankruptcy Procedure 2002 and 4001 (I) Authorizing Debtors (A) to Obtain Postpetition Financing and (B) to Utilize Cash Collateral; (II) Granting Adequate Protection; and (III) Scheduling Interim and Final Hearings (Docket No. 468)

Status: The parties have resolved this objection.

- o. Limited Objection of the Macerich Company, RREEF Management Company, Cousins Properties Incorporated, Watt Management Company, the Prudential Insurance Company of America, Portland Investment Company, and KNP to Debtors' Motion for Interim and Final Orders Pursuant to 11 U.S.C. Sections 105, 361, 362, 363 and 364 and Federal Rules of Bankruptcy Procedure 2002 and 4001 (I) Authorizing Debtors (A) to Obtain Postpetition Financing and (B) to Utilize Cash Collateral; (II) Granting Adequate Protection; and (III) Scheduling Interim and Final Hearings (Docket No. 489)

Status: The parties have resolved this objection.

- p. Local Texas Tax Authorities' Objection to Interim and to Entry of Final Order (1) Authorizing Incurrence by Debtors of Post-Petition Secured Indebtedness with Priority over all Secured Indebtedness... 2) Granting Liens (3) Granting Use of Cash Collateral...(Docket No. 490)

Status: The parties are working to resolve this objection. In the event they are unable to reach a resolution, this matter is going forward.

- q. Amended Objection of Texas Ad Valorem Tax Jurisdictions to Interim and to Entry of Final Order (1) Authorizing Incurrence by Debtors of Post-Petition Secured Indebtedness with Priority

over all Secured Indebtedness...(2) Granting Liens
(3) Granting Use of Cash Collateral...(Docket No.
498)

Status: The parties are working to resolve this objection. In the event they are unable to reach a resolution, this matter is going forward.

- r. Limited Objection of Directv, Inc. to Entry on a Final Basis of Interim Order Pursuant to 11 U.S.C. Sections 105, 361, 362, 363 and 364 and Rules 2002, 4001 and 9014 of the Federal Rules of Bankruptcy Procedure (I) Authorizing Incurrence by the Debtors of Post-Petition Secured Indebtedness with Priority over all secured indebtedness and with administrative Superpriority, (2) Granting Liens, (3) Authorizing the Use of Cash Collateral by the Debtors' Pursuant to 11 U.S.C. Section 363 and Providing for Adequate Protection (4) Modifying the Automatic Stay and (5) Scheduling a Final Hearing (Docket No. 503)

Status: The parties have resolved this objection.

- s. Joinder of 502-12 86th Street LLC to Limited Objection of Polaris Circuit City, LLC to Debtors' Motion for Interim and Final Orders Pursuant to 11 U.S.C. Sections 105, 361, 362, 363 and 364 and Federal Rules of Bankruptcy Procedure 2002 and 4001 (I) Authorizing Debtors (A) to Obtain Postpetition Financing and (B) to Utilize Cash Collateral; (II) Granting Adequate Protection; and (III) Scheduling Interim and Final Hearings (Docket No. 535);

Status: The parties have resolved this objection.

- t. Joinder of Basile Limited Liability Company to Limited Objections of Inland Southwest Management, LLC and Polaris Circuit City, LLC to Debtors' Motion for Interim and Final Orders Pursuant to 11 U.S.C. Sections 105, 361, 362, 363 and 364 and Federal Rules of Bankruptcy Procedure 2002 and 4001 (I) Authorizing Debtors (A) to Obtain Postpetition Financing and (B) to Utilize Cash Collateral; (II) Granting Adequate Protection; and (III) Scheduling Interim and Final Hearings (Docket No. 536)

Status: The parties have resolved this objection.

- u. Joinder of Woodlawn Trustees Incorporated to Limited Objections of Inland Southwest Management, LLC and Polaris Circuit City, LLC to Debtors' Motion for Interim and Final Orders Pursuant to 11 U.S.C. Sections 105, 361, 362, 363 and 364 and Federal Rules of Bankruptcy Procedure 2002 and 4001 (I) Authorizing Debtors (A) to Obtain Postpetition Financing and (B) to Utilize Cash Collateral; (II) Granting Adequate Protection; and (III) Scheduling Interim and Final Hearings (Docket No. 537)

Status: The parties have resolved this objection.

- v. Joinder of Eatontown Commons Shopping Center and Arboretum of South Barrington Shopping Center to Limited Objection of Carousel Center Company, L.P., Sangertown Square, L.L.C., Eklecco Newco, LLC and Fingerlakes Crossing LLC to Entry of Final Order Pursuant to 11 U.S.C. Sections 105, 361, 363 and 364 and Rules 2002, 4001 and 9014 of the Federal Rules of Bankruptcy Procedure (1) Authorizing Incurrence by the Debtors of Post-Petition Secured Indebtedness With Priority Over All Secured Indebtedness and With Administrative Superiority, (2) Granting Liens, (3) Authorizing Use of Cash Collateral by the Debtors Pursuant to 11 U.S.C. Section 363 and Providing for Adequate Protection, (4) Modifying the Automatic Stay and (5) Scheduling a Final Hearing (Docket No. 542)

Status: The parties have resolved this objection.

- w. Joinder of Eatontown Commons Shopping Center and Arboretum of South Barrington Shopping Center to Limited Objection of Carousel Center Company, L.P., Sangertown Square, L.L.C., Eklecco Newco, LLC and Fingerlakes Crossing LLC to Entry of Final Order Pursuant to 11 U.S.C. Sections 105, 361, 363 and 364 and Rules 2002, 4001 and 9014 of the Federal Rules of Bankruptcy Procedure (1) Authorizing Incurrence by the Debtors of Post-Petition Secured Indebtedness With Priority Over All Secured Indebtedness and With Administrative Superiority, (2) Granting Liens, (3) Authorizing Use of Cash Collateral by the Debtors Pursuant to 11 U.S.C. Section 363 and Providing for Adequate Protection,

(4) Modifying the Automatic Stay and (5) Scheduling a Final Hearing (Docket No. 560)

Status: The parties have resolved this objection.

- x. Joinder of Certain Landlords to the Limited Objection of The Macerich Company, RREEF Management Company, Cousins Properties Incorporated, Watt Management Company, The Prudential Insurance Company of America, Portland Investment Company and KNP to the Debtors' Motion for Interim and Final Orders Pursuant to 11 U.S.C. § 105, 361, 362, 363 and 364 And Federal Rules of Bankruptcy Procedure 2002 and 4001 (I) Authorizing Debtors to Obtain Postpetition Financing and (B) To Utilize Cash Collateral; (II) Granting Adequate Protection; and (III) Scheduling Interim and Final Hearings [Docket No. 489] (Docket No. 661)

Status: The parties have resolved this objection.

- y. Joinder of AmCap NorthPoint LLC and AmCap Arborland LLC to Limited Objection of Carousel Center Company, L.P., Sangertown Square, L.L.C., EklecCo Newco, LLC and Fingerlakes Crossing, LLC to Entry of Final Order Pursuant to 11 U.S.C. Sections 105, 361, 363, and 364 and Rules 2002, 4001 and 9014 of the Federal Rules of Bankruptcy Procedure (1) Authorizing Incurrence by the Debtors of post-Petition Secured Indebtedness with Priority Over all Secured Indebtedness and with Administrative Superpriority, (2) Granting Liens, (3) Authorizing Use of Cash Collateral by the Debtors Pursuant to 11 U.S.C. Section 363 and Providing for Adequate Protection, (4) Modifying the Automatic Stay and (5) Scheduling a Final Hearing (Docket No. 671).

Status: The parties have resolved this objection.

- z. Joinder of Faber Bros., Inc. to Limited Objections of Inland Southwest Management, LLC and Polaris Circuit City, LLC to Debtors' Motion for Interim and Final Orders Pursuant to 11 U.S.C. §§ 105, 361, 362, 363 and 364 and Federal Rules of Bankruptcy Procedure 2002 and 4001 (I) Authorizing Debtors (A) to Obtain Postpetition Financing and (B) to Utilize Cash Collateral; (II) Granting Adequate Protection;

and (III) Scheduling Interim and Final Hearings (Docket No. 736)

Status: The parties have resolved this objection.

- aa. Informal Objection of Official Committee of Unsecured Creditors

Status: The parties have resolved this objection.

General

Status: This matter is going forward on a final basis. The Debtors will present a proposed final order to the Court at the hearing.

13. Supplemental Motion of the Debtors for Order Pursuant to Bankruptcy Code Sections 105(a), 506(a), 507(a)(8), 541, and 1129 Authorizing the Debtors to Pay Prepetition Sales, Use, Trust Fund and Other Taxes and Related Obligations (Docket No. 407)

Related

Documents:

- a. Motion of the Debtors for Order Pursuant to Bankruptcy Code Sections 105(A), 506(A), 507(A)(8), 541, and 1129 and Bankruptcy Rule 6003 Authorizing the Debtors to Pay Prepetition Sales, Use, Trust Fund and Other Taxes and Related Obligations (Docket No. 7)
- b. Order Pursuant to Bankruptcy Code Sections 105(A), 506(A), 507(A)(8), 541, and 1129 and Bankruptcy Rule 6003 Authorizing the Debtors to Pay Prepetition Sales, Use, Trust Fund and Other Taxes and Related Obligations (Docket No. 110)
- c. Notice of Motion and Notice of Hearing (Docket No. 408)
- d. Supplemental Order Granting Pursuant to Bankruptcy Code Sections 105 (a), 506 (a). 507 (a)(8), 541, and 1129 Authorizing the Debtors to Pay Prepetition Sales, Use, Trust Fund and Other Taxes and Related Obligations (Docket No. 1086)

Objection

Deadline: December 3, 2008 at 4:00 p.m.

Objections/
Responses
Filed:

- a. Limited Objection of the Official Committee of Creditors Holding Unsecured Claims to Certain First Day Order (Court Docket Numbers 80, 82, 110, 112, 129, 132) (Docket No. 455)
- b. Objection of the Official Committee of Unsecured Creditors Holding Unsecured Claims to the Supplemental Motion of Debtors for Order Pursuant to Bankruptcy Code Sections 105(A), 506(A), 507(A)(8), 541, and 1129 Authorizing the Debtors to Pay Prepetition Sales, Use, Trust Fund and Other Taxes and Related Obligations (Docket No. 620)

Status: The Debtors and the Official Committee of Unsecured Creditors are working to resolve this matter. In the event they are unable to reach a resolution, this matter is going forward solely with respect to the Debtors request to pay taxes to certain jurisdictions.

14. Motion of the Official Committee of Unsecured Creditors for an Order Clarifying Requirement to Provide Access to Confidential or Privileged Information (Docket No. 568)

Related
Documents:

- a. Notice of (A) Motion of the Official Committee of Unsecured Creditors for an Order Clarifying Requirement to Provide Access to Confidential or Privileged Information and (B) Hearing Thereon (Docket No. 570)

Objection
Deadline: December 17, 2008 at 4:00 p.m.

Objections/
Responses
Filed:

- a. Informal Response of the Debtors

- b. Objection of the United States of America to Motion of the Official Committee of Unsecured Creditors for an Order Clarifying Requirement to Provide Access to Confidential or Privileged Information (Docket No. 1110)

Status: The informal response has been resolved.
This matter is going forward.

15. Motion for Relief from Automatic Stay, by US Signs, Inc., and Notice of Motion (Docket No. 814)

Related
Documents: None

Objection
Deadline: December 18, 2008 at 4:00 p.m., extended for the Debtors until December 19, 2008

Objections/
Responses
Filed:

- a. Objection by the Debtors to US Signs, Inc.'s Motion for Relief from Automatic Stay (Docket No. 1127).

Status: This matter is going forward.

16. Navarre Distribution Services, Inc.'s Motion for an Order Granting Adequate Protection Pursuant to 11 U.S.C. §§ 361 and 363 (Docket No. 958)

Related
Documents:

- a. Notice of Motion and Hearing (Docket No. 959)

Objection
Deadline: December 18, 2008 at 4:00 p.m., extended for the Debtors until December 19, 2008 at 1:00 p.m.

Objections/
Responses
Filed:

- a. Objection by the Debtors to Navarre Distribution Services, Inc.'s Motion for Adequate Protection and Response to Limited Objection of Navarre to Debtors' DIP Motion (Docket No. 1126).

Status: This matter is going forward.

- 17. Debtors' First Omnibus Motion for Order Pursuant to Bankruptcy Code Sections 105(a) and 365(a) and Bankruptcy Rule 6006 Authorizing Rejection of Certain Executory Contracts (Docket No. 995)

Related Documents:

- a. Notice of Motion and Hearing (Docket No. 997)

Objection Deadline: December 18, 2008 at 4:00 p.m.

Objections/
Responses
Filed:

- a. Objection of Jeffrey R. Leopold To The Debtors' Motion To Reject His Severance Agreement And Release Of Claims (Docket No. 1093)
- b. Objection of James H. Wimmer, Jr. to the Debtors' Motion to Reject His Employment Agreement and Enforcement of Employment Agreement Letter (Docket No. 1099)

Status: This matter is going forward except with respect to Patrick S. Longgood, which is being adjourned to the January 16, 2009 Omnibus Hearing date. Mr. Longgood's response has been extended to December 29, 2008.

Dated: December 22, 2008 SKADDEN, ARPS, SLATE, MEAGHER &
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